

# Brief Summary of NIH Foreign Interference Cases

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This report summarizes the characteristics and outcomes of NIH foreign interference compliance reviews as of August 2, 2023. Since 2017, NIH has received allegations involving 633 scientists. Figure 1 shows the number of allegations received each year (from 2018 through August 7, 2023), along with the number of cases in which NIH contacted institutions. In this report, we will focus on the 251 cases in which staff from the NIH Office of Extramural Research have contacted institutions.

## Case Characteristics

Table 1 shows characteristics of foreign interference cases according to the original source of concerns. The most common source was internal, that is agency staff discovering discrepancies in grant documents and published materials. Self-disclosures have increased in the last three years, while referrals from the DOJ or FBI have decreased. Most affected scientists are self-reported as Asian, which is not surprising given the well-described recruiting efforts on the part of the government and institutions of the PRC. The proportion of white scientists is greater for self-disclosed cases, but nearly one-third of these came from one institution (Moffitt Cancer Center). Note that we do not collect data on citizenship or national origin. The PRC accounted for the vast majority of foreign interference concerns. Figure 2 shows the number of new cases according to the year when we contacted the institution. The number of cases peaked in 2019 and has been declining since. Most cases from 2018 and 2019 are closed, while the majority of more recent cases remain open. There have been only 3 cases thus far in calendar year 2023.

## Case Outcomes

### Compliance Reviews

Table 2 show outcomes of compliance reviews to date. Even though most reviews are still open, we have already determined that for over 80 percent of cases there was at least one *serious* compliance violation (that is undisclosed grant support, undisclosed talents award, undisclosed equity, undisclosed patent, or other undisclosed financial conflict of interest). Less than 10 percent were found to have no violation (that is, no undisclosed foreign affiliation *and* no *serious* violation). Over half of scientists were removed from NIH grants (either through institutional separation or other internal institutional actions). Table 3 show the same data according to the original source of concerns.

## **Criminal and Civil Actions**

There have been few cases that have led to criminal and civil actions. To date there have been two indictments ([Lin Yang at the University of Florida](#) and [Mohammad Faghihi at the University of Miami](#)) and three convictions ([Charles Lieber at Harvard University](#), [Xiao-Jiang Li at Emory University](#), and [Song-Guo Zheng at Ohio State University](#)). There have been two false-claims civil settlements ([both with Van Andel Research Institute](#)).

## **Repayments**

In 32 cases, the United States government received or reached agreement regarding repayments totaling \$23,960,433. Department of Justice actions (criminal or civil) led to the final resolution in 4 cases (\$10,083,600). Thus, in the majority of cases, repayments were secured through administrative means.

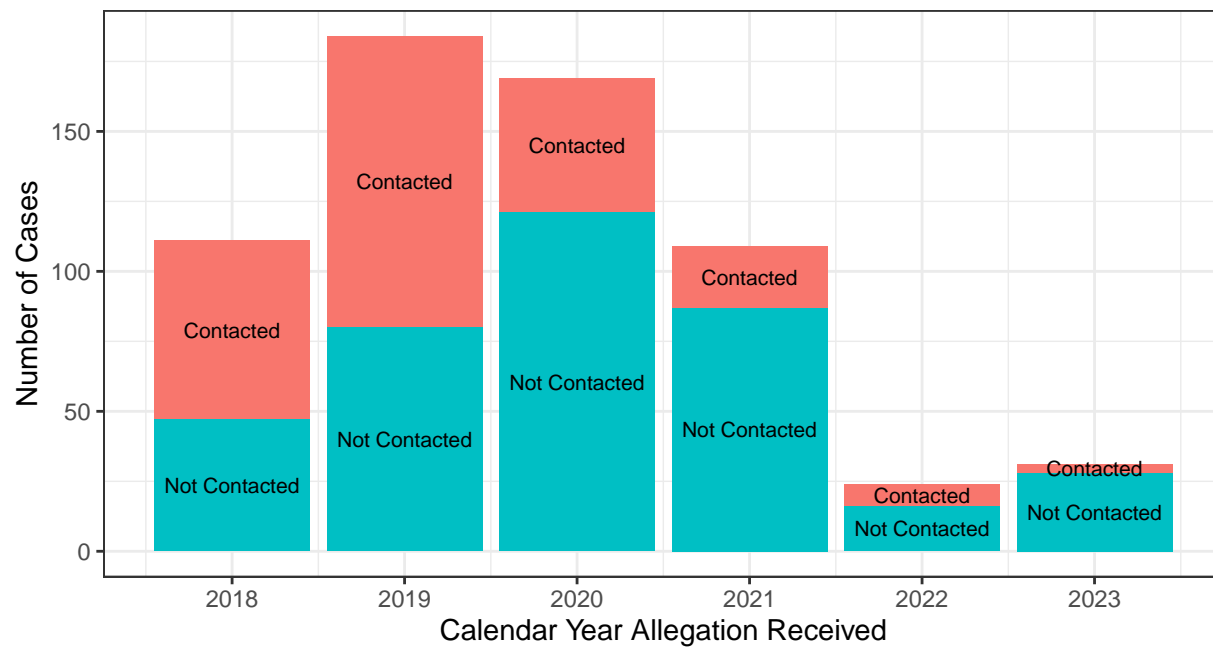


Figure 1: Number of allegations and number of institutions contacted according to the calendar year that the allegation was received. Data for calendar year 2023 are up to August 7, 2023.

Table 1: Characteristics of foreign interference cases reported to the NIH Office of Extramural Research (OER) according to the original source of concerns. Values shown are for cases in which NIH Staff have contacted the Institution. Values shown are Number (column %). Percentages do not necessarily add up to 100 due to missing or withheld values. PRC = People’s Republic of China.

| Characteristic             |              | Internal   | Self Disclosure | DOJ or FBI |
|----------------------------|--------------|------------|-----------------|------------|
| Total N (%)                |              | 120 (47.8) | 79 (31.5)       | 52 (20.7)  |
| Year Institution Contacted | 2018 or 2019 | 94 (78.3)  | 21 (26.6)       | 43 (82.7)  |
|                            | 2020 to 2023 | 26 (21.7)  | 58 (73.4)       | 9 (17.3)   |
| Gender                     | Male         | 97 (80.8)  | 67 (84.8)       | 38 (73.1)  |
|                            | Female       | 18 (15.0)  | 9 (11.4)        | 10 (19.2)  |
| Race                       | Asian        | 95 (79.2)  | 51 (64.6)       | 40 (76.9)  |
|                            | White        | 18 (15.0)  | 21 (26.6)       | 3 (5.8)    |
| Country of Concern         | PRC          | 110 (91.7) | 67 (85.9)       | 52 (100.0) |

Table 2: Outcomes of NIH foreign interference cases. Values shown are for cases in which NIH Staff have contacted the Institution. Any serious violation means one or more of the following: undisclosed grant support, undisclosed talents award, undisclosed equity, undisclosed patent, or other undisclosed financial conflict of interest. No violation means no undisclosed foreign affiliation and no serious violation. SFI = significant financial interest. Values shown are Number (column %).

| Outcome                             | Number      |
|-------------------------------------|-------------|
| Total N (%)                         | 251 (100.0) |
| Undisclosed Affiliation             | 212 (84.5)  |
| Undisclosed Grant Support           | 175 (69.7)  |
| Undisclosed Talents Award           | 131 (52.2)  |
| Undisclosed Equity, Patent, or SFI  | 45 (17.9)   |
| Any Serious Violation               | 212 (84.5)  |
| No Violation                        | 15 (6.0)    |
| Termination or Resignation          | 106 (42.2)  |
| Institutional Exclusion from Grants | 56 (22.3)   |
| Removed from Grants                 | 162 (64.5)  |
| Removed from Peer Review            | 194 (77.3)  |
| Compliance Review Open              | 107 (42.6)  |

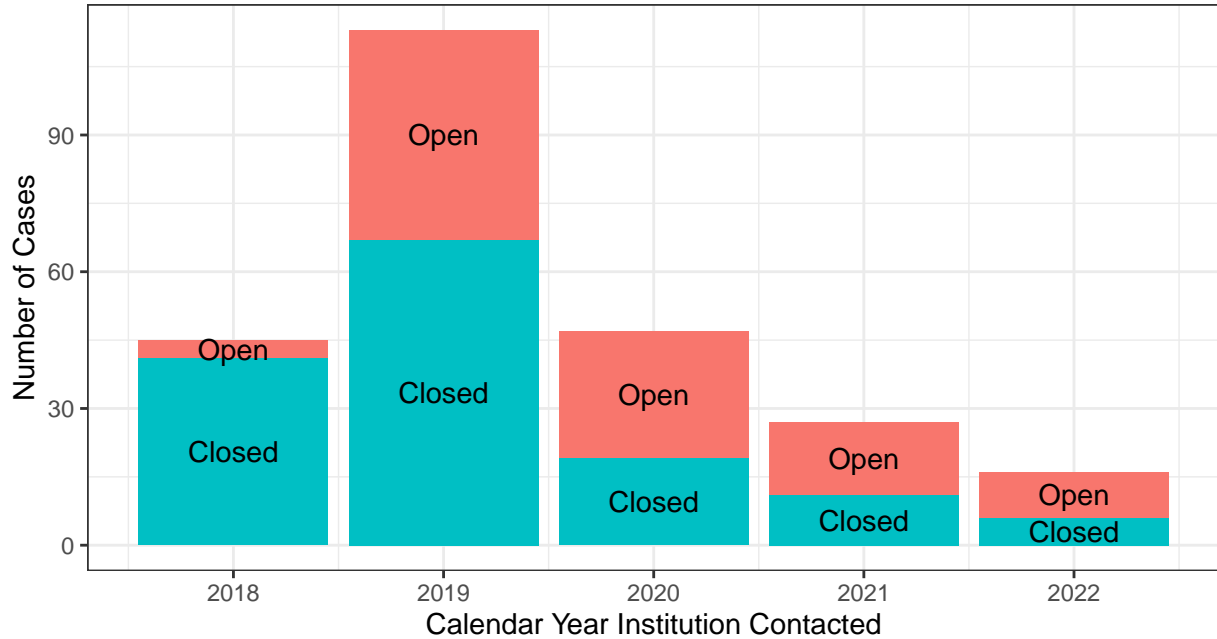


Figure 2: Number of cases and current status (Open or Closed as of August 7, 2023) according to year in which OER contacted the institution.

Table 3: Outcomes of NIH foreign interference cases according to the original source of concerns. Values shown are for cases in which NIH Staff have contacted the Institution. Any serious violation means one or more of the following: undisclosed grant support, undisclosed talents award, undisclosed equity, undisclosed patent, or other undisclosed financial conflict of interest. SFI = significant financial interest. Values shown are Number (column %).

| Outcome                            | Internal   | Self Disclosure | DOJ or FBI |
|------------------------------------|------------|-----------------|------------|
| Total N (%)                        | 120 (47.8) | 79 (31.5)       | 52 (20.7)  |
| Undisclosed Affiliation            | 98 (81.7)  | 65 (82.3)       | 49 (94.2)  |
| Undisclosed Grant Support          | 89 (74.2)  | 45 (57.0)       | 41 (78.8)  |
| Undisclosed Talents Award          | 47 (39.2)  | 36 (45.6)       | 48 (92.3)  |
| Undisclosed Equity, Patent, or SFI | 18 (15.0)  | 19 (24.1)       | 8 (15.4)   |
| Any Serious Violation              | 100 (83.3) | 63 (79.7)       | 49 (94.2)  |
| Termination or Resignation         | 39 (32.5)  | 43 (54.4)       | 24 (46.2)  |
| Institutional Removal from Grants  | 36 (30.0)  | 12 (15.2)       | 8 (15.4)   |
| Removed from Grants                | 75 (62.5)  | 55 (69.6)       | 32 (61.5)  |
| Removed from Peer Review           | 86 (71.7)  | 63 (79.7)       | 45 (86.5)  |
| Status of Compliance Review Open   | 44 (36.7)  | 45 (57.0)       | 18 (34.6)  |